

## **RIGOROUS THESIS - SUMMARY**

### **President of the Republic and his Relationship to the Executive Branch**

The thesis analyses the current constitutional legislation concerning the position of the President of the Republic pursuant to Constitutional Act No. 1/1993 Coll., the Constitution of the Czech Republic; special emphasis is placed on the aspects of the relationship of the President to the executive branch of power, particularly the Government as a whole and its Prime Minister.

For better clarity and also to provide a theoretical basis, the author gives a brief overview of the constitutional development of parliamentary democracy in the United Kingdom, France and the U.S.A. insofar as this is, in the author's opinion, necessary for better understanding of the current regulation of the position of the President within the Czech Constitution.

Since the author is well aware of the substantial effect of historical regulations on the wording of the current Constitution (not only in terms of the office of President of the Republic), he also deals in his thesis with the developments of constitutional law since 1918, when the Czechoslovak Republic was founded as an independent state.

The thesis aims to analyse the office of President of the Republic, along with his position and relationship to other constitutional institutions, especially the Government as the second component of the executive branch. This paper attempts, on the one hand, to clarify the reasons for the creation of the individual legal concepts related to the President's office, particularly with emphasis on historical and teleological viewpoints, and, on the other hand, it provides an analysis of the current constitutional regulation of the position of the head of the state, an overview of attempts to bring about its change and *de lege ferenda* considerations, as well as a comparison with the constitutional laws of other countries.

The conclusion of the thesis is dedicated to attempts to change the position of the President of the Republic as a constitutional institution. Furthermore, the author comments on certain steps taken by the President, Václav Klaus, that have been the subject of both lay and professional discussions.

The thesis was drawn up as of 31 December 2010.

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